

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

KATIANA SOENEN, TAJA HIRATA-
EPSTEIN, CHLOE BURNS, EMMA
DENNIS-KNIERIEM, and JANE
DOES 1-2, individually and on behalf
of all others similarly situated,
Plaintiffs,

v.

BROWN UNIVERSITY,
Defendant.

C.A. No. 21-325-JJM-PAS

ORDER

Before the Court are Defendant Brown University's Motion to Sever (ECF No. 48) and Motion to Stay Discovery. ECF No. 49. Also, before the Court is Plaintiffs' Motion to File an Amended Complaint. ECF No. 44.

Motion to Sever

After the Court issued its Order on the Motion to Dismiss (ECF No. 34), it is obvious to the Court that there are many separate, distinct, and individual claims in this case, and that they do not meet the requirements of joinder into a single case. Equity, fairness, and judicial economy all point to severing this case into its distinct parts. Furthermore, as to the individual claims by the Plaintiffs for damages (unlike the class action claims for injunctive relief), they do not arise out of the same

transaction or occurrence but arise from each Plaintiff's individual allegations of sexual assault and Brown's individual response to each.

Thus, the Court GRANTS Brown's Motion to Sever (ECF No. 48) and orders the Clerk of Court to separate each of the Plaintiffs and their claims as follows:

1. Case number 21-cv-325 will continue with only Jane Does 1 and 2 (the only current Brown students that have standing to seek injunctive relief) as potential class representative plaintiffs with injunctive claims only.
2. The Clerk will assign new cases numbers (and include all filings to date in each new case) for claims (Counts 1, 2, 3 and 9) by each of these Plaintiffs:
 - a. Katiana Soenen
 - b. Taja Hirata-Epstein
 - c. Emma Dennis-Knieriem
 - d. Jane Doe 1
 - e. Jane Doe 2

This severance in no way should be used to quell efficient litigation among the six cases, including coordinated, non-duplicative discovery. In fact, the Court requires such coordination and efficiency.

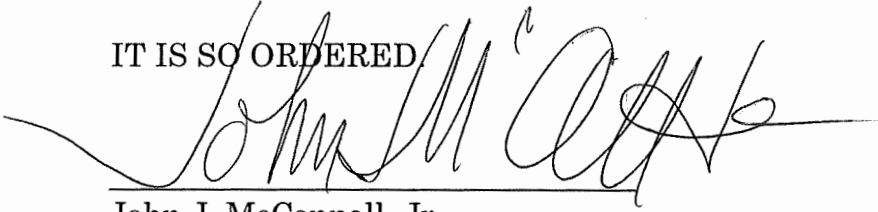
Motion to Stay

Defendant's Motion to Stay is DENIED without prejudice as moot. ECF No. 49.

Motion to Amend the Complaint

Plaintiff's Motion to Amend the Complaint is DENIED. The proposed Amended Complaint alleges "additional facts relevant to Chloe [Burns'] retaliation claim." ECF No 44 at 4. Because the Court had dismissed all of Mr. Burns' claims (*see* ECF No. 34), and because her claims are only for damages arising from her encounter with Brown regarding her alleged sexual assault, if she wishes to pursue those claims, she must file a separate complaint.

IT IS SO ORDERED.



John J. McConnell, Jr.
Chief Judge
United States District Court

January 27, 2023